IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 21949 of 2004(K)

PETITIONER:

A.J. VARGHESE, AVIYOTTU VEEDU,
NEAR L.M.S. HOSPITAL, KUNDARA, ELAMPALLOOR VILLAGE
KOLLAM DISTRICT.

BY ADV. SMT.K.LATHA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE TAHSILDAR (R.R.), REVENUE RECOVERY KOLLAM.

3. THE AGRICULTURAL INCOME TAX & SALES TAX OFFICER, KOTTARAKKARA.

BY G.P. SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1a: TRUE COPY OF MEDICAL CERTIFICATES DT.16.2.98.

P1b: .DO. DT.29.7.98.

P1c: TRUE COPY OF MEDICAL DISCHARGE CARD FROM UPASANA HOSPITA,, KOLLAM.

P2: TRUE COPY OF R.R. NOTICE ISSUED BY R2 DEMANDING RS.41,231/- AS AGRICULTURAL INCOME TAX FOR 1998-99.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.21949 of 2004

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Dated this the 3rd day of December, 2007.

JUDGMENT

The petitioner is challenging recovery proceedings for recovery of arrears of agricultural income tax due for 1998-99. Government Pleader submitted that prior to recovery assessment was completed by third respondent. Since the W.P. was filed in 2004 and this court granted a conditional order, I dispose of the W.P. granting thirty days time from today to file appeal against the assessment order. There will be direction to the third respondent to issue a copy of the AIT assessment order for 1998-99 immediately on production of copy of this judgment by the petitioner.

C.N.RAMACHANDRAN NAIR
Judge

pms